

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANGELO DENNINGS, et al.,

Plaintiffs,

v.

CLEARWIRE CORPORATION,

Defendant.

CASE NO. C10-1859JLR

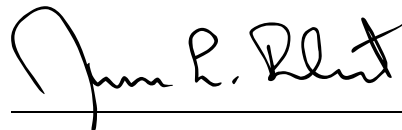
ORDER GRANTING MOTION
FOR APPEAL BOND

Before the court is class Plaintiffs' second motion for an appeal bond in this class action lawsuit. (Mot. (Dkt. # 134).) The court previously ordered objectors Gordan Morgan and Jeremy De La Garza to post an appeal bond of \$41,150.00 before pursuing their appeal of the final settlement order. (3/11/13 Order (Dkt. # 117).) Objectors never did this. In the meantime, their appeal was summarily dismissed by the Ninth Circuit as being "so insubstantial as not to require further argument." (*See* Order of USCA (Dkt. # 126).) Now, Objectors have appealed the court's order approving attorney's fees in

1 connection with the final settlement. (Not. of Appeal (Dkt. # 132).) Once again, class
2 Plaintiffs move for an appeal bond.

3 The same arguments that compelled the court to require an appeal bond before
4 apply here as well. The court directs Objectors to its previous order for a full explanation
5 of why an appeal bond is appropriate. (*See* 3/11/13 Order.) This new motion raises no
6 new issues warranting the court's attention, and Objectors make no legitimate arguments
7 for why this appeal should be treated any differently from the previous one. (*See* Resp.
8 (Dkt. # 138).) For these same reasons, \$41,150.00 is once again an appropriate amount
9 for an appeal bond. (*See* 3/11/13 Order at 4-5.) The motion is GRANTED. If the bond
10 is not posted or the appeal withdrawn within five days of the date of this order, Plaintiffs
11 and Plaintiffs' counsel will be subject to sanctions by the court.

12 Dated this 8th day of July, 2013.

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15 JAMES L. ROBART
16 United States District Judge
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